United Nations CRC/C/KAZ/Q/4

Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventieth session
14 September–2 October 2015
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the fourth periodic report of Kazakhstan

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2015.

The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. Please inform the Committee of cases where national courts have invoked the rights contained in the Convention, either as a ground for a case or as interpretative guidance for domestic legal provisions.

2. Please provide information on the authority and competence of the Committee for the Protection of Children's Rights to coordinate the implementation of children's rights across relevant sectors at the subregional level.

3. Please indicate whether any evaluation of the National Plan of Action on Human Rights for 2009–2012 has been carried out and whether any relevant policies, strategies or new action plans on children's rights have been adopted since 2011.

4. Please provide information on any complaints brought by children before the child section of the office of the Commissioner for Human Rights.

5. Please indicate the steps taken by the State party to establish a comprehensive system for the collection and analysis of data covering all areas of the Convention, disaggregated by, inter alia, sex, age, ethnic origin, geographical location, type of disability and socioeconomic background, including on child abuse and neglect, as well as on economic and sexual exploitation of children. Please also indicate what measures have been taken to ensure that disaggregated data is made available to all stakeholders.

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6. Please provide information on training provided since 2011 to law enforcement officials, judges, social workers and professionals working with and/or for children.

7. Please provide detailed information on the measures taken to eliminate de facto discrimination against all children in vulnerable situations, such as children with disabilities, Roma children, children of asylum seekers, migrant children and children in street situations. Please describe efforts made to ensure that migrant children, refugee and asylum-seeking children, children in rural areas and those affected by environmental disasters have equal access to education and health care.

8. Please inform the Committee on the measures taken to prevent all forms of violence, abuse and ill-treatment of children in schools, residential care institutions and detention centres, and on the mechanisms and procedures for the submission of complaints in such cases. Please provide information on any proceedings brought against teaching staff or personnel of care institutions since 2007, and on the sanctions imposed. Please also indicate whether the proposal of the Ombudsman to develop a joint plan of action to prevent violence against children living in residential institutions, as referred to in paragraph 323 of the State party's report (CRC/C/KAZ/4), was adopted and implemented.

9. Please provide information on concrete measures in place to combat child marriages, which are reported to be on the rise in the State party, particularly in rural areas.

10. Please elaborate on planned measures to prevent the institutionalization of children, to provide children with family-based alternative care and to reintegrate children separated from their parents back into their families. Please also clarify the rules and regulations that govern the removal of children from their parents and inform the Committee about complaints mechanisms available to those children.

11. Please provide information on progress made to bring domestic legislation into line with the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. Please also provide the Committee with information on the monitoring system for national and intercountry adoption.

12. Please indicate whether an evaluation of the programme to reduce maternal and child mortality for 2008–2010 has been conducted and whether any new programmes have been developed. Please also describe the measures taken to ensure that adolescents are provided with access to information on sexual and reproductive health, including in rural areas.

13. In the light of reports that children have been contaminated by blood transfusions, please provide information on sanitary standards in health institutions and on their monitoring.

14. Please provide information on preventive measures taken by the State party to address the high rate of suicide among adolescents. Please inform the Committee on the status and on the implementation of the national suicide prevention strategy, referred to in paragraph 216 of the State party's report.

15. Please inform the Committee on measures taken to solve the reported problem of "ungraded" public schools, where pupils of different age groups are taught together in one class.

16. Please provide information on legislative steps taken to enhance the protection of children from the worst forms of child labour, and on their implementation. Please provide specific information on monitoring efforts and inspections carried out to enforce the prohibition of child labour in the State party since the implementation of the joint work plan to eliminate the worst forms of child labour for the period 2009–2011.

17. Please provide updated information on progress achieved in setting up juvenile courts, placing specially trained police officers and establishing specialized law offices in all regions of the State party. Please also describe the measures in place to protect the rights and interests of children in conflict with the law, and child victims and witnesses at all stages of criminal proceedings, including access to legal representation and social reintegration programmes.

18. Please provide information on the measures taken to implement the recommendations contained in the Committee's concluding observations on the State party's initial report under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/KGZ/CO/1) with regard to asylum-seeking, refugee and migrant children who may have been recruited or used in hostilities abroad, and on the establishment of extraterritorial jurisdiction for crimes under the Optional Protocol. Please also provide detailed information on military education for children enrolled in national and provincial military boarding schools and academies, and indicate whether an independent mechanism for receiving possible complaints from pupils and students has been established.

19. In follow-up to the Committee's concluding observations on the State party's initial report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/KGZ/CO/1) and with reference to paragraphs 713 to 751 of the State party's report, please provide more information on the measures taken to amend its legislation with a view to fully incorporating articles 2 and 3 of the Optional Protocol and to ensuring that children who are victims of offences under the Optional Protocol are not treated as offenders. Please also provide information on the implementation and evaluation of the action plan to combat trafficking in persons for 2009–2011 and indicate whether the State party has adopted a new action plan. Please inform the Committee of any complaints brought against law enforcement officials for complicity in child trafficking and/or sexual exploitation.

Part II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

20. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, for the period 2011–2014, on the number of:

(a) Children working in the informal sector and children in street situations;

(b) Children in detention facilities and penitentiary institutions, including those in pretrial detention;

(c) Criminal cases involving juveniles which have been settled by reconciliation under article 67 of the Criminal Code.

21. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, regarding the situation of children deprived of a family environment, covering the period 2011–2014, on the number of children:

(a) Separated from their parents;

(b) Placed in institutions;

(c) Placed with foster families;

(d) Adopted domestically or through intercountry adoptions.

22. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) In institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

23. Please provide data, disaggregated by, inter alia, age, sex, socioeconomic background, geographical location and ethnic origin, for the past three years, on:

(a) The enrolment and completion rates, in percentages, of the relevant age groups in pre-primary schools, primary schools and secondary schools, especially among girls in rural areas;

(b) The number and percentage of school dropouts and repetitions;

24. Please provide the Committee with an update on any data in the report which may have been outdated by more recent data collected or other new developments.

25. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.